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Internet on November 16, 2001, well after the filing date of this application. It is purely speculation that all of the job applications and all of the methods were performed over ten years ago. The bald statements in the document that the company has been in business since 1986 or that some product may have been used ten years ago do not provide support for a prior art rejection of the claimed method. "Concrete Solutions" while generally listing methods of application of the Ultra Surface® concrete polymer does not state what steps are used for a method of resurfacing a road.

Even if the document could be established as prior art, it does not disclose the claimed invention. The "Concrete Solutions" document does not disclose the requirements of either step of the method of Claim 20. Furthermore, with respect to the rejection of Claims 20, 22, 23 and 27, based on "Concrete Solutions" and Reed et al., it should be noted that Reed does not utilize polymer modified concrete, but instead uses asphaltic material which must be sealed with a liquid composition comprising an emulsion of liquid asphalt, a lignosulfonic acid salt and water. Thus, Reed's method has no relation to the claimed invention. Reed et al. also fails to disclose using an air blower to propel the rock chips with sufficient velocity to embed in the layer. It is purely hindsight to suggest the combination of steps is obvious. There is no basis for combining "Concrete Solutions" and Reed.

With respect to the rejection of the remaining Claims based upon "Concrete Solutions" and various combinations of Reed et al., Cobb, Wilson, Sr., Barton, Jones and Gemmer, there is no teaching in any of the documents used in the rejection to suggest their combination. Cobb, for example, does not indicate that layers of rock chips are compatible with the decorative surfaces

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discussed in the Cobb patent since adding rock chips would cover the decorative surface and defeat the purpose of the Cobb patent. Wilson '674 does disclose a method of pavement repair, but does not teach the steps of Claim 20, and there is no basis for combination with "Concrete Solutions" or Reed et al. Barton does not disclose raking as claimed and fails to provide any teaching for combination with "Concrete Solutions" and Reed et al. The reference of Jones teaches apparatus for use with new concrete surfaces. In Applicant's invention, the heating elements can be added to an existing roadway. Jones is directed to new road construction, and therefore has no relation to the application of heating elements to an existing roadway. Furthermore, there is no basis for the combination of "Concrete Solutions", Cobb and Jones. The basis for combination is also not solved by Gemmer who fails to provide any indication of resurfacing of roads. None of the references teach applying the polymer modified concrete in a wheel lane or applying the heating elements to the wheel lane under the polymer modified concrete.

It is respectfully submitted that the subject application is in condition for allowance. Accordingly, Applicant respectfully requests that the subject application be passed to issuance without delay.

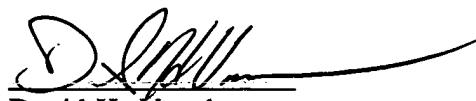
This request for reconsideration is being submitted with a petition for a two month extension of time and a check in the amount of \$200.00. Should that determination be incorrect, however, the Examiner is hereby authorized to charge any deficiencies to our Deposit Account No. 13-2759, and notify the undersigned in due course.

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Should the Examiner have any questions or wish to discuss further this matter, please contact the undersigned at the telephone number provided below.

Respectfully submitted,

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